

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Henry O. Johnson, Jr.,

Case No. 3:15 CV 696

Petitioner,

ORDER ADOPTING  
REPORT AND RECOMMENDATION

-vs-

JUDGE JACK ZOUHARY

John Coleman,

Respondent.

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge filed August 20, 2015 (Doc. 5). The R&R recommends this Court deny Respondent’s Motion to Consolidate and grant Respondent’s Motion to Dismiss (Doc. 4).

Under 28 U.S.C. § 636(b)(1), a party must serve written objections to the Magistrate Judge’s proposed findings and recommendations within fourteen (14) days of being served with the R&R, at which time this Court makes a *de novo* determination of those portions of the R&R to which objections were made. The failure to file objections within the time frame set forth in the statute constitutes a waiver of *de novo* review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Petitioner’s deadline for filing objections has passed, and no requests for extension have been received. The R&R accurately states the facts and law, which this Court adopts in its entirety. Accordingly, Respondent’s Motion to Consolidate is denied as moot and Respondent’s Motion to Dismiss is granted (Doc. 4).

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U.S. DISTRICT JUDGE

September 10, 2015